

### REMARKS

Regarding the status of the present application, Claims 6 and 13 have been amended, and Claims 1-19 are pending in this application. Reconsideration of this application is respectfully requested.

Claims 1-19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner indicated that "Claims 1 and 17 recite that the rods are "lockable"; however, this functional language is unsupported by the claimed structure. Therefore the claim is not definite." It is respectfully submitted that the Examiner's rejection with regard to Claims 1 and 17 is not understood and is in error.

However, upon reviewing the Claims, it was determined that Claims 6 and 13 recited questionable language that might be argued as being indefinite. Claims 6 and 13 have thus been amended so that they are more clear and definite.

The following paragraphs are a few instances of the discussion contained in the specification relating to the relationship between the clamps and rods. These portions of the specification do not state that the rods are "lockable" as is argued by the Examiner. As is stated in these paragraphs, and as will be discussed in more detail below, the rods and clamps are lockable relative to each other, not lockable to each other as indicated by the Examiner.

In response to the Examiner's rejection, reference is made to page 2, lines 13-17, for example, which states that "The universal holding fixtures comprise a plurality of dual axis rotatable clamps that are interconnected by way of rods to form an articulated structure. The dual axis rotatable clamps are individually moveable or slidable along the rods, are individually rotatable around the rods, and are individually lockable or securable to the rods to which they are connected." Thus, the terms lockable and securable alternatively refer to the fact that the dual axis rotatable clamps are lockable to the rods.

With reference to page 2, lines 25-29, it is stated that "Once the object or workpiece is held by the rods of the articulated structure, the dual axis rotatable clamps are secured or clamped to the rods. Clamps may be loosened to rotate the rods to any desired angle or orientation to allow the object or workpiece to be secured in a desired position."

With reference to page 2, line 30 to page 3, line 2, it is stated that "An exemplary embodiment of the articulated structure comprises a plurality of first dual axis clamps to which the fixed rod is slidably secured and that each have a second rod transversely extending therefrom that is secured thereby. A second dual axis clamp is slidably secured to each of the second rods. Each second dual axis clamp slidably secures a third rod that is disposed generally transverse to the second rod secured thereby. A third dual axis clamp is slidably secured to each of the third rods. Each third dual axis clamp slidably secures a fourth rod that is disposed generally transverse to the third rod secured thereby. A fourth dual axis clamp is slidably secured to each of the fourth rods. The fourth dual axis clamps are slidably secured to a fifth rod."

At page 4, lines 19-25 it is stated that "A plurality of first dual axis clamps 14 are slidably secured to the first rod 13. Each of the first dual axis clamps 14 may be moved or slid along the first rod, independently rotated around the first rod 13, and secured in the moved and rotated position. Each of the first dual axis clamps 14 secures a second rod 15 that is aligned substantially orthogonal to the first rod 13. Rotation of each second rod 15 and first dual axis clamp 14 around or about the axis of the first rod 13 positions the second rod 15 at any desired angle."

These are but a few of the numerous statements in the specification indicating that the clamps are lockable relative to each other.

It is respectfully submitted that it appears that the Examiner is misreading the Claim language. Claim 1 recites "a plurality of dual axis clamps that are each rotatable, slidable and lockable to two rods to form an articulated structure." This is not a statement that the rods are "lockable" as is suggested by the Examiner. Each clamp has the ability to rotate around the axis of the rod, slid along the length of the rod, and lock to the rod. This is fully discussed in the specification and shown in the drawings.

Claim 1 also recites "which rods and clamps are rotatable, slidable and lockable relative to each other to position the rods at varying and arbitrary angles relative to each other." It is respectfully submitted that this is not a statement that the rods are "lockable" as is suggested by the Examiner. What is stated is that the "rods and clamps are ... lockable relative to each other." In view of the statement made in the preceding paragraph, it is respectfully submitted, and it necessarily follows that, since each of the dual axis clamps are ... lockable to two rods, the rods and clamps are lockable relative to each other. [Emphasis added]

It is respectfully submitted that the Examiner has somehow reading Claim 1 in a manner that eliminates the word "relative" from the claim. It appears that the Examiner's is reading this portion of Claim 1 as reciting (1) that the rods are ... lockable relative to each other, and (2) that the clamps are ... lockable relative to each other. This reading of the claim language is incorrect, because the "rods and clamps" are the subject of this portion of the claim. As was argued above, and as is discussed in the specification, the rods and clamps rotate relative to each other, the rods and clamps slide relative to each other, and the rods and clamps are locked relative to each other when the articulated structure is formed. Therefore, it is respectfully submitted that the rods clamps are lockable relative to each other, not lockable to each other.

In view of the above discussion, it is respectfully submitted that Claim 1 is clear and definite. Withdrawal of the Examiner's rejection of Claim 1 is respectfully requested.

Claim 6 has been amended to more clearly recite the invention, and to address the Examiner's issue. Claim 6 recites that the fixture recited in Claim 5 further comprises "two additional rods that are coupled a selected one of the four rods by way of two additional dual axis clamps." It is respectfully submitted that Claim 6 is clear and definite.

Dependent Claims 2-10 are considered to be clear and definite for reasons argued with respect to Claim 1, and based upon their dependency from Claim 1. Withdrawal of the Examiner's rejection of Claims 2-10 is respectfully requested.

Independent Claim 11 recites substantially the same language as is recited in Claim 1 and is considered clear and definite for the same reasons argued with respect to Claim 1. Withdrawal of the Examiner's rejection of Claim 11 is respectfully requested.

Claim 13 has been amended to more clearly recite the invention, and to address the Examiner's issue. Claim 6 recites that the fixture recited in Claim 12 further comprises "two additional rods that are coupled a selected one of the four rods by way of two additional dual axis clamps." It is respectfully submitted that Claim 13 is clear and definite.

Dependent Claims 12-16 are considered to be clear and definite for the reasons argued with respect to Claim 1, and based upon their dependency from Claim 11. Withdrawal of the Examiner's rejection of Claims 2-10 is respectfully requested.

Independent Claim 17 calls for a universal holding fixture for holding an object, comprising:

- a base; and
- an articulated structure rotatably secured to the base that comprises:
  - a plurality of first dual axis clamps that are each rotatable, slidable and lockable to a fixed rod and that are each rotatable, slidable and lockable to a second transverse rod;
  - a plurality of second dual axis clamps that are each rotatable, slidable and lockable to a respective second rod and that are each rotatable, slidable and lockable to a third rod that is disposed generally transverse to the respective second rod;
  - a plurality of third dual axis clamps that are each rotatable, slidable and lockable to a respective third rod and that are each rotatable, slidable and lockable to a fourth rod that is disposed generally transverse to the respective third rod; and
  - a plurality of fourth dual axis clamps that are each rotatable, slidable and lockable to a respective fourth rod and that are each rotatable, slidable and lockable to a fifth rod.

It is respectfully submitted that Claim 17 does not contain any language that states that "the rods are 'lockable'," as is suggested by the Examiner. Each of the subparagraphs defining the dual axis clamps essentially states that the clamps are each rotatable, slidable and lockable to a rod and that are each rotatable, slidable and lockable to another rod. There is no language contained in Claim 17 to the effect that the rods are 'lockable. Thus, the Examiner's rejection of Claim 17 is not understood and is in error.

Accordingly, it is respectfully submitted that Claim 17 is clear and definite. Withdrawal of the Examiner's rejection of Claim 1 is respectfully requested.

Dependent Claims 18 and 19 are considered to be clear and definite for the reasons argued with respect to Claim 17, and based upon their dependency from Claim 17. Withdrawal of the Examiner's rejection of Claims 18 and 19 is respectfully requested.

Claims 1-19 were rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 3,987,579 issued to Palenik, III. The Examiner has repeated the rejection stated in the prior Office Action. The Examiner's position is that "Palenik III discloses a universal fixture having

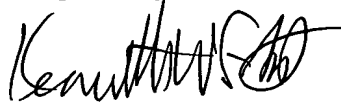
a plurality of dual axis clamps (38 ) each are rotatably and slidably secured rods (fig. 3), and a base (13). Palenik III discloses enough parts to anticipates all claim pluralities."

It is respectfully submitted that the argument made in the previously filed response after final rejection and in the Appeal Brief address this issue and will not be repeated herein. In view of the previously made arguments, it is respectfully submitted that the Palenik, III patent does not disclose or suggest the inventions recited in Claims 1-19. Withdrawal of the Examiner's rejection and allowance of Claims 1-19 are respectfully requested.

The prior art heretofore made of record and not relied upon is considered pertinent to applicant's disclosure to the extent indicated by the Examiner.

In view of the above, it is respectfully submitted that all pending Claims are clear and definite, and are not anticipated by, nor are they obvious in view of, the Palenik, III patent. Therefore, it is respectfully submitted that the pending Claims are allowable, and that the present application is in condition for allowance. Reconsideration and allowance of this application are earnestly solicited.

Respectfully submitted,



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